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**THE CITY OF NEW YORK**  
**LAW DEPARTMENT**  
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August 11, 2021

**VIA ECF**

Hon. Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

**MEMO ENDORSED**

Re: *K.E. obo M.L. v. New York City Dep't of Educ.*, 21-cv-02815 (KPF)(RWL)

Dear Judge Failla:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Georgia M. Pestana, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*, as well as for this action.

I write to respectfully request that the August 20, 2021 conference be adjourned *sine die*, and, alternatively, if the Court adjourns the Conference to a later date, that the pre-conference submissions deadline be extended as well. Plaintiff consents to these requests. This is the second request for an adjournment of the conference. The first request for an adjournment was made on June 18, 2021 and granted by Your Honor on June 21, 2021. The requested adjournment will permit the parties to continue settlement negotiations. We are hopeful that the parties will settle this matter without the need for further burden on the Court's time.

Additionally, we request that a status letter be due within 30 days, either informing the Court of settlement or proposing a briefing schedule. Plaintiff also consents to this request.

Accordingly, Defendant respectfully requests that the August 20, 2021 conference be adjourned *sine die*,

and that a joint status letter to the Court be due within 30 days.

Thank you for considering this request.

Respectfully submitted,

/s/

Martha Nimmer  
Special Assistant Corporation Counsel

cc: Kevin Mendillo, Esq. (via ECF)

Application GRANTED. The initial pretrial conference scheduled for August 20, 2021, is hereby ADJOURNED *sine die*. The parties are directed to file a joint status letter on or before September 13, 2021, informing the Court of the progress of settlement discussions.

The Clerk of Court is directed to terminate the pending motion at docket entry 12.

Date: August 12, 2021  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE